

UNITED STATES DIST. CT. SOUTHERN DIST.
COUNTY OF NEWYORK

Index No. 07 CV 9737

LEXINGTON INSURANCE COMPANY ET AND

Plaintiff(s)

- against -

AFFIDAVIT OF SERVICE

LOCHINVAR CORPORATION ET AL

Defendant(s)

SUMMONS AND COMPLAINT;
RULE 7.1 STATEMENT, AMEND. *

STATE OF NEW YORK: COUNTY OF NEW YORK

SS:

BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY
TO THIS ACTION AND IS OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

DANIEL MILLER

TO THIS ACTION AND IS OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on 11/19/07 at 0240PM Hours at C/O SECRETARY OF STATE 41 STATE STREET ALBANY, NY

deponent served the within SUMMONS AND COMPLAINT; RULE 7.1 STATEMENT, AMEND. * on

MANHATTAN MECHINCAL SERVICE, INC.

INDIVIDUAL

A ☐by delivering a true copy of each to said personally; deponent knew the person so served to be the person described as said person therein. ☐ (S) He identified (her) himself as such.

CORPORATION

B ☐

a (domestic) (foreign) corporation by delivering thereat a true copy of each to CHAD MATICE personally, deponent knew said corporation so served to be the corporation described in legal papers and knew said individual to be thereof

XX SUITABLE
AGE PERSONC ☐by delivering thereat a true copy of each to a person of suitable age and discretion. Said premises is recipient's (actual place of business) (dwelling house) (usual place of abode) within the state. ☐ (S) He identified (her) himself as of recipientAFFIXING TO
DOOR, ETC.D ☐

by affixing a true copy of each to the door of said premises, which is recipient's (actual place of business) (dwelling house) (usual place of abode) within the state. Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, thereat, having called there on the dates below:

* RULE 7.1 STATEMENT, INC. PRACTICES OF JUDGE DANIELS AND
MAGISTRATE KATE. INSTRUCTION FOR FILING ELECTRONIC CASE OR APPEAL
& GUIDELINES FOR ELECTRONIC CASE FILING
Service upon the N.Y.S. Secretary of State under Section
306 of the B.C.L. and tendering a fee of \$40.00MAILING
USE WITH
C or D☐

Deponent also enclosed a copy of same in a postpaid sealed wrapper properly addressed to the above recipient and deposited at

said wrapper in (a post office) official depository under exclusive care and custody of the United States Postal Service within New York State.

Deponent further states that he describes the person actually served as follows

Sex	Skin Color	Hair Color	Age (Approx.)	Height (Approx.)	Weight (Approx.)
MALE	WHITE	BLACK	30	6'2	215

MILITARY
SERVICE☐

Above person has asked, whether the recipient (s) was (were) in the military service of the State of New York or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the recipient (s) is (are) not in the military service of the State of New York or the United States as that term is defined in the statutes of the State of New York or the Federal Soldiers and Sailors Civil Relief Act.

That at the time of such service deponent knew the person (s) so served as aforesaid to be the same person (s) mentioned and described as the defendant(s) in this action.

USE IN
NYC CIVIL CT.☐Sworn to before
me on the

11/20/07

The language required by NYCRR 2900.2(e). (f) & (h) was set forth on the face of said summons (es).

SANDRA FARRON
Notary Public, State of New York
No. 01FA4784241
Qualified in Nassau County
Commission Expires Sept. 30, 2009DANIEL MILLER
LICENSE No.

113304